

1    **Education Cabinet**

2    **Kentucky Board of Education**

3    **Department of Education**

4    **(Amendment)**

5    **703 KAR 5:001. Assessment and accountability definitions.**

6    RELATES TO: KRS 158.645, 158.6451, 158.6453, 158.6455, 158.6457, 20 U.S.C. 6301  
7    et seq.

8    STATUTORY AUTHORITY: KRS 156.029, 156.070, 158.6453, 158.6455

9    NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6455 requires the  
10   Kentucky Board of Education to promulgate administrative regulations to establish a  
11   system to create and implement a statewide assessment and accountability program. This  
12   administrative regulation establishes definitions for Kentucky's Assessment and  
13   Accountability Program.

14   Section 1. Definitions. (1) "A1 school" means a school under administrative control of a  
15   principal or head teacher and eligible to establish a school-based decision-making  
16   council. An A1 school is not a program operated by, or as a part of, another school.

17   (2) "A2 program" means a district-operated, totally vocational-technical program, where  
18   the membership is counted in other schools.

19   (3) "A3 program" means a district-operated, totally special education program.

1 (4) "A4 program" means a district-operated, totally preschool program (e.g., Headstart,  
2 Kentucky Education Reform Act (KERA) Preschool, or Parent And Child Education  
3 (PACE)).

4 (5) "A5 program" means an alternative program which is a district-operated and district-  
5 controlled facility with no definable attendance boundaries that is designed to provide  
6 services to at-risk populations with unique needs. Its population composition and  
7 characteristics change frequently and are controlled by the local school district student  
8 assignment practices and policies (i.e., the local district personnel have input with regard  
9 to the identification of students receiving services provided by the A5 school as opposed  
10 to unconditionally accepting court ordered placements). Students enrolled in A5 program  
11 typically include:

- 12 (a) Actual dropouts returning to an alternate educational environment;
- 13 (b) Potential or probable dropouts;
- 14 (c) Drug abusers;
- 15 (d) Physically abused students;
- 16 (e) Discipline problem students;
- 17 (f) Nontraditional students (e.g., students who have to work during the school day); or
- 18 (g) Students needing treatment (e.g., emotional/psychological).

19 (6) "A6 program" means a district-operated instructional program in a nondistrict-  
20 operated institution or school.

21 (7) "A2-A6 program" means a program which is classified as A2, A3, A4, A5, or A6.

- 1 (8) "Academic index" means the summary statistic or index which describes school  
 2 success on the academic goals one (1), two (2), five (5), and six (6) set forth in KRS  
 3 158.6451(1)(b).
- 4 (9) "Accountability index" means the statistic defined in KRS 158.6457(1).
- 5 (10) "Accountability level" means elementary (grades end of primary/three (3), four (4),  
 6 and five (5)), middle (grades six (6), seven (7), and eight (8)), or high school (grades nine  
 7 (9), ten (10), eleven (11), and twelve (12)).
- 8 (11) "Adequate yearly progress in both reading and mathematics" means required  
 9 performance of each school or district in obtaining:
- 10 (a) Annual measurable objectives in reading and mathematics in the total school or  
 11 district and each subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.;
- 12 (b) A school classification of any category of Progressing or meets goal in the CATS  
 13 biennial or midpoint classification, whichever occurred more recently, at the elementary  
 14 and middle school levels; or for a school in the assistance category which demonstrates  
 15 growth in the accountability index at or above the state average for the specific grade-  
 16 level configuration;
- 17 (c) A prior year graduation rate at the high school level that exceeds that of the year  
 18 before or meeting the annual goal established by the Kentucky Board of Education for  
 19 graduation rate as follows:

YEAR	GRADUATION RATE GOAL
2002	71.00
2003	73.25

2004	75.50
2005	77.75
2006	80.00
2007	82.25
2008	84.50
2009	86.75
2010	89.00
2011	91.25
2012	93.50
2013	95.75
2014	98.00

;  
and

1 (d) The required ninety-five (95) percent participation rate in the total school or district  
2 and each subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.

3 (12) "Adequate yearly progress in mathematics" means required performance of each  
4 school or district in obtaining:

5 (a) Annual measurable objectives in mathematics in the total school or district and each  
6 subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.;

7 (b) A school classification of any category of progressing or meets goal in the CATS  
8 biennial or midpoint classification, whichever occurred more recently, at the elementary  
9 and middle school levels; or for a school in the assistance category which demonstrates  
10 growth in the accountability index at or above the state average for the specific grade-  
11 level configuration;

(c) A prior year graduation rate at the high school level that exceeds that of the year before or meeting the annual goal established by the Kentucky Board of Education for graduation rate as listed in Section 1(11)(c) of this administrative regulation; and

(d) The required ninety-five (95) percent participation rate in the total school or district and each subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.

(13) "Adequate yearly progress in reading" means required performance of each school or district in obtaining:

(a) Annual measurable objectives in reading in the total school or district and each subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.;

(b) A school classification of any category of Progressing or Meets Goal in the CATS biennial or midpoint classification, whichever occurred more recently, at the elementary and middle school levels; or for a school in the Assistance category which demonstrates growth in the accountability index at or above the state average for the specific grade-level configuration;

(c) A prior year graduation rate at the high school level that exceeds that of the year before or meeting the annual goal established by the Kentucky Board of Education for graduation rate as listed in Section 1(11)(c) of this administrative regulation; and

(d) The required ninety-five (95) percent participation rate in the total school or district and each subpopulation of sufficient size identified in 20 U.S.C. 6301 et seq.

(14) "Alternate assessments [~~portfolio~~]" means [~~that~~] components [~~component~~] of the assessment system designed for students with legally-identified disabilities who cannot with the assistance of available accommodations, modifications, or both participate in the regular curriculum.

(15) "Alternate assessment [~~portfolio~~] scores" means the scores for alternate assessments assigned by teachers, contractors, or scores reassigned through state scoring review procedures [~~to a collection of best pieces of student work assembled through the instructional process~~].

(16) "Assistance line" means that unique line for a school that starts in the biennium ending with the school year 2009-2010 [~~2001-2002~~] at one (1) standard error of measurement below the school's baseline accountability index to a point that is one (1) standard error of measurement below eighty (80) on the accountability index scale in the biennium ending with the school year 2013-2014, with the calculated points defining this line rounded to the nearest tenth. If a school's baseline is above eighty (80), the assistance line means a horizontal line at eighty (80) minus one (1) standard error of measurement.

(17) "Baseline accountability index" means the accountability index score that describes the school's average performance during the 2006-07 and 2007-08 [~~1998-99 and 1999-2000~~] school years, and is that number against which progress on the accountability index shall be measured.

(18) "Comprehensive school improvement plan" means a data driven and research-based framework developed by the school which contains specific recommendations from the scholastic audit team for improving teaching and student learning and identifies priority needs for strengthening the school's instructional and organizational effectiveness.

(19) "Confidence interval" means a range of scores determined for which there is a designated percent confidence that a school or district score falls within this range.

(20) "District evaluation team" means one (1) or more scholastic audit teams as established in 703 KAR 5:120.

(21) "Full academic year for a district" means a district is accountable for any student who is enrolled in the district any 100 instructional days from the district's first instructional day of the school year through the first day of the testing window for the appropriate accountability level established by the district.

(22) "Full academic year for a school" means a school is accountable for any student who is enrolled in the school any 100 instructional days from the first instructional day of the school year through the first day of the testing window.

(23) "Gained population" means students in grades at which accountability assessments are administered who now attend a different school because of service area boundary changes or other local board of education policy changes affecting the school population served.

(24) "Goal line" means a fixed line that extends from a point that is one (1) standard error of measurement below school's baseline index to a point that is one (1) standard error of measurement below the state goal established for the target biennium. If a school's baseline is above 100, the goal line means a horizontal line at one-hundred (100) minus one standard error of measurement. Points calculated defining this line shall be rounded to the nearest tenth. In any biennium, a school's growth accountability index shall be at or above this line in order to achieve a classification of meets goal in recognition of growth.

(25) "Graduation rate" means the quotient of: {number of current year grade 12 completers (standard diploma within four (4) years, including students with disabilities whose IEPs stipulate they will need more than four (4) years to obtain a standard diploma)} divided by {number of current year grade 12 completers (includes standard diplomas plus certificates of completion), plus the number of current year grade 12

dropouts, plus the number of dropouts from the current 12th grade that dropped out as 11th graders, plus the number of dropouts from the current 12th grade class that dropped out as 10th graders, plus the number of dropouts from the current 12th grade class that dropped out as 9th graders}.

(26) "Growth accountability index" means the average accountability index that describes the school's performance every two (2) years beginning with the 2008-09 and 2009-2010 [~~2000-2001 and 2001-2002~~] school years.

(27) "In need of assistance" means the school's growth accountability index falls below its assistance point.

(28) "Level 1" means a classification assigned to a school that has an index score that places it in the highest one-third (1/3) of all schools below the assistance line.

(29) "Level 2" means a classification assigned to a school that has an index score that places it in the middle one-third (1/3) of all schools below the assistance line.

(30) "Level 3" means a classification assigned to a school that has an index score that places it in the lowest one-third (1/3) of all schools below the assistance line.

(31) "Lost population" means students in grades at which accountability assessments are administered who no longer can attend a particular school because of service area boundary changes or other local board of education policy changes affecting school population served.

(32) "Meets goal" means a school with a growth accountability index that meets or exceeds its goal point and the school meets the dropout and novice reduction requirements of 703 KAR 5:020, Section 8.



(33) "No child left behind improvement school or district" means a school or district that fails to make adequate yearly progress for two (2) consecutive years in the same content area, reading or mathematics.

(34) "Nonacademic index" means the statistic which describes school success on the nonacademic goals set forth in KRS 158.6451(1)(c), (d), and (f).

(35) "Participation in state-required assessments" means making a good faith effort by completing four multiple-choice items or responding to at least one constructed-response item in the reading and mathematics assessments combined for the appropriate grade level.

(36) "Participation rate" means the percent of students who participated in the state-required assessments.

(37) "Progressing" means the school's growth accountability index falls below its goal point and meets or exceeds its assistance point.

(38) "Reward share" means the unit of money as appropriated by the General Assembly to be distributed to schools, and is determined by the total amount of the money available for rewards in a biennium and the total number of shares to be awarded.

(39) "Safe harbor" means for a school or district that has not met the reading or mathematics annual measurable objective, that the school or district is considered to have met the objective in reading or mathematics if the school or district reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics annual measurable objective), scoring below proficient by ten (10) percent; and students in the same population or subpopulation(s) demonstrate improvement or obtain a 100 or higher on the prior year academic index.

1 (40) "Sample of schools" means a representation of schools, not to exceed five (5)  
2 percent, of those with an accountability index above the assistance line.

3 (41) "Scholastic audit" means a comprehensive review of a school's learning  
4 environment, efficiency, and academic performance of students to determine the level of  
5 support necessary to continuously improve student academic performance.

6 (42) "School classification" means the status of a school or school district, including  
7 meets goal, progressing, or in need of assistance based on measures of growth as defined  
8 in 703 KAR 5:020.

9 (43) "School portfolio" means a collection of documents pertinent to a school that is used  
10 to create a profile of the strengths and limitations of the school's instructional and  
11 organizational effectiveness, including:

- 12 (a) The comprehensive school improvement plan;
- 13 (b) State assessment results;
- 14 (c) Federal accountability results;
- 15 (d) Student achievement data;
- 16 (e) Portfolio writing analysis data;
- 17 (f) School survey data;
- 18 (g) The school report card;
- 19 (h) District technology inventory;
- 20 (i) School handbook and master schedule;
- 21 (j) School-based decision-making policies and meeting minutes;
- 22 (k) Teacher lesson plans;
- 23 (l) District evaluation plan;

(m) Curriculum alignment documents;

(n) Examples of student work; and

(o) A listing of professional development activities.

(44) "School recognition points" means accountability index scores of fifty-five (55), sixty-six (66), seventy-seven (77), eighty-eight (88), and 100 on the accountability index scale used to recognize school standing.

(45) "Stable population" means students in grades at which accountability assessments are administered who would have attended the school prior to and after any service area boundary changes or other local board of education policy changes affecting school population served.

(46) "Standard error of measurement" means, for purposes of the assistance line or the goal line, the statistic derived from the baseline calculations taking into account appropriate sources of measurement error and number of students assessed.

(47) "Standards and indicators for school improvement" means the evaluation tool used in the scholastic audit process to determine the appropriateness of the school's classification and to make recommendations to improve teaching and learning for inclusion in the existing comprehensive school and district improvement plans.

(48) "Standing of a school" means the actual performance of a school as measured by the accountability index.

(49) "State goal" means 100 on the accountability index scale which all schools are expected to meet by the target biennium.

(50) "Statistical concordance model" means a procedure used for adjusting an accountability index in order to compare goals lines reported in 2006-07.

(51) [(50)] "Student achievement levels" means categories of student learning in each of the content areas, including low novice [~~nonperformance~~], medium novice, high novice, low apprentice, medium apprentice, high apprentice, proficient, or distinguished.

(52) [(51)] "Student with limited English proficiency" means an individual who is an English language learner who has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny the individual opportunity to meet the state's proficient level of achievement on state assessments and to successfully achieve in classrooms where the language of instruction is English or to participate fully in society. A "student with limited English proficiency" also means a student who is age three (3) to twenty-one (21), is enrolled or preparing to enroll in an elementary school or secondary school and:

(a) Was not born in the United States or, whose native language is a language other than English;

(b) Comes from an environment in which a language other than English has had a significant impact on the individual's level of English language proficiency;

(c) Is Native American, Alaska Native, or native resident of the outlying areas who comes from an environment in which a language other than English has had a significant impact on the student's level of English language proficiency; or

(d) Is migratory, whose native language is a language other than English, and comes from an environment in which a language other than English is dominant.

(53) [(52)] "Sufficient size for calculating participation rates" means that a school or district has at least ten (10) students in a subpopulation in each grade in which NCLB

1 assessments are administered and at least sixty (60) students in the subpopulation in these  
2 grades combined.

3 (54) [~~(53)~~] "Sufficient size for making comparisons to annual measurable objectives"  
4 means that:

5 (a) A school or district has at least ten (10) students in a subpopulation in each grade in  
6 which NCLB assessments are administered; and

7 (b) At least sixty (60) students in the subpopulation in these grades combined or the  
8 subpopulation constitutes at least fifteen (15) percent of the students in these grades  
9 combined.

10 (55) [~~(54)~~] "Target biennium" means the biennium by the end of which schools are  
11 expected to reach the state goal, which is the biennium ending with the 2013-2014 school  
12 year.

13 (56) [~~(55)~~] "Testing windows [~~window~~]" means periods [~~a period~~] of time designated  
14 annually by the Kentucky Department of Education within which all state-required  
15 assessment shall be administered.

16 (57) [~~(56)~~] "Title I school or district" means a school or district eligible for and receiving  
17 Title I funds.

18 (58) [~~(57)~~] "Writing portfolio score" means the score assigned by teachers, or score  
19 reassigned through portfolio scoring audit procedures, to a collection of a student's best  
20 work.